

Attorney Docket No.: 20253-60398

DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled:

CONTAINER FOR SHARP INSTRUMENTS

specification of which

(check one)

is attached hereto

 was filed on 29 April 1997

United States Application Serial No. _____ as

PCT International Application No. PCT/AU97/00259 or

and was amended on 13 February 1998 and 26 February 1998

(if applicable)

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| PN | (AU) | (Day/Month/Year Filed) | Priority Claimed |
|------------------|------------------------|---|--|
| 9597 (Number) | Australia (Country) | 30.04.96 30 April 1996 (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes No |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------|---------------------------------------|
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status-patented, pending, abandoned) |

I hereby appoint William R. Coffey, Reg. No. 24023; Jerry E. Hyland, Reg. No. 20904; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; John P. Breen, Reg. No. 38833; Jill L. Werling, Reg. No. 39874; Nancy J. Harrison, Reg. No. 27083; R. Trevor Carter, Reg. No. 40549;

Dilip A. Kulkarni, Reg. No. 27510; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154; Michael S. Gzybowski, Reg. No. 32816; and Robert D. Null, Reg. No. 40746, are attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG
11 South Meridian Street
Indianapolis, Indiana 46204
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Michael Shane CAVANAGH

Full Name of Sole or First Joint Inventor

Inventor's Signature

301 Lieutenant Bowen Drive
Bowen Mountain NSW 2753

AUSTRALIA

Residence and Post Office Address

Full Name of Second Joint Inventor, if any

Second Inventor's Signature

Australia

Country of Citizenship

30/6/93

Date

Country of Citizenship

Date

Residence and Post Office Address

Full Name of Third Joint Inventor, if any

Third Inventor's Signature

Country of Citizenship

Date

Residence and Post Office Address

Full Name of Fourth Joint Inventor, if any

Fourth Inventor's Signature

Country of Citizenship

Date

Residence and Post Office Address

Additional inventors to be similarly identified on attached sheet.

67274

2/2

4/98

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group:

Attorney Docket No.: 20253-60398

Serial No.: ~~XXXXX~~Applicant or Patentee: ~~XXXXXX~~ Michael Shane CAVANAGH
Invention: CONTAINER FOR SHARP INSTRUMENTSFiling No.: ~~XXXXX~~

Date: Herewith

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(h) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled CONTAINER FOR SHARP INSTRUMENTS described in

the specification filed herewith.
 application serial no. _____, filed _____.
 patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

No such person, concern or organization
 Each such person, concern or organization listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention apecting to their status as small entities. (37 CFR 1.27)

FULL NAME _____
 ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Michael Shane CAVANAGH

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Signature of Inventor

Signature of Inventor

Signature of Inventor

Date

30/6/98

Date

Date